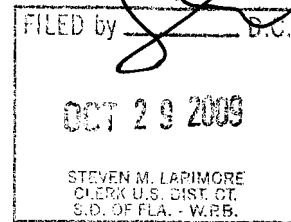


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 09-80091-CR-MARRA/VITUNAC(s)

21 U.S.C. § 846
21 U.S.C. § 856(a)(1)
18 U.S.C. § 1959(a)(5)
18 U.S.C. § 1959(a)(1)
18 U.S.C. § 924(c)(1)
18 U.S.C. § 924(j)(1)
18 U.S.C. § 4
18 U.S.C. § 1951(a)
18 U.S.C. § 1959(a)(3)
18 U.S.C. § 371
18 U.S.C. § 922(a)(1)(A)
21 U.S.C. § 841(a)(1)
18 U.S.C. § 922(g)(1)
18 U.S.C. § 922(g)(5)
18 U.S.C. § 931
18 U.S.C. § 1512(c)(1)
18 U.S.C. § 1512(k)
21 U.S.C. § 861(a)(1)
21 U.S.C. § 853
18 U.S.C. § 924(d)(1)



UNITED STATES OF AMERICA

v.

**JONATHAN GONZALEZ,
a/k/a "Benny,"
SILVERIO MACEDONIO-GREGORIO,
a/k/a "Silverio Gregorio," a/k/a "Pelón," a/k/a "Weasel,"
YOLIBETH NAJERA,
a/k/a "Yoli," a/k/a "Yogi Bear,"
IVAN ISIDRO SANTIAGO,
a/k/a "Snow," a/k/a "Snowy," and
CHRISTOPHER GONZALEZ-CHAMBERLAIN,
a/k/a "Christopher Gonzalez," a/k/a "Pooh Bear,"**

Defendants.

SUPERSEDING INDICTMENT

The Grand Jury charges:

INTRODUCTION

1. The “Krazy Locos,” also known as the “KL” gang, is a group composed primarily of juvenile and young adult males with a smaller number of juvenile and young adult females, with members operating primarily in Palm Beach County, Florida, in the Southern District of Florida. The name “Krazy Locos,” if translated literally, means the “Krazy Crazies,” and has been affiliated at times with another gang, the “Making Life Krazy” or “MLK” gang, which also operates in Palm Beach County, Florida. During the period of 2007 through 2009, there were approximately forty Krazy Locos gang members and associates.

2. Members of the Krazy Locos signified their membership by wearing tattoos reading “Krazy Locos,” “KL,” or a distinctive symbol. Krazy Locos members referred to one another by their gang names and often did not know fellow gang members except by their gang names.

3. Beginning in approximately late 2007, the Krazy Locos began an alliance with a larger gang named Sur-13, or the “Sureños,” which is a gang that first became prominent in California but has now spread to cities throughout the United States. The alliance was formed when certain high-ranking Krazy Locos members learned that they would be imprisoned and sought to affiliate themselves with Sur-13 in order to insure that they would have protection while in the prison environment, where Sur-13 has a large presence. Thus, beginning in approximately mid-2008, some Krazy Locos members began referring to the

gang as "KL-13." After the alliance with Sur-13, some Krazy Locos members modified their tattoos to read "KL-13."

4. At all times relevant to this Superseding Indictment, Defendants JONATHAN GONZALEZ, a/k/a "Benny," YOLIBETH NAJERA, a/k/a "Yoli," a/k/a "Yogi Bear," IVAN ISIDRO SANTIAGO, a/k/a "Snow," a/k/a "Snowy," and CHRISTOPHER GONZALEZ-CHAMBERLAIN, a/k/a "Christopher Gonzalez," a/k/a "Pooh Bear," were members of the Krazy Locos. At all times relevant to this Superseding Indictment, Defendant SILVERIO MACEDONIO-GREGORIO, a/k/a "Silverio Gregorio," a/k/a "Pelón," a/k/a "Weasel," was an associate of the Krazy Locos gang.

5. At all times relevant to this Superseding Indictment, members of the Krazy Locos were divided into three categories of membership. The lowest level members were referred to as "Sparks," the mid-level members were referred to as "Burners," and the upper-level members or managers were referred to as "Torches." Both Defendant JONATHAN GONZALEZ, a/k/a "Benny," and Defendant IVAN ISIDRO SANTIAGO, a/k/a "Snow," a/k/a "Snowy," were "Torches."

6. In order to join the Krazy Locos, associates wishing to join the gang were often required to commit criminal acts to prove their loyalty to the Krazy Locos. Similarly, junior members were often required to commit criminal acts to maintain their membership in the gang. Orders to commit these acts were often accompanied by threats of physical harm or death to the junior members or their families.

7. At all times relevant to this Superseding Indictment, members were required

to attend weekly meetings to discuss the workings of the gang. Members also were required to pay monetary dues, which were referred to as a “tax.” For example, low-level members were required to pay \$25 each week. The members would often resort to committing larcenies and burglaries to obtain funds or property to pay their weekly taxes.

8. Failing to pay these dues or “taxes” was considered a “violation” of the rules of the Krazy Locos. “Violations” were punished by physical reprisals, including beating or shooting the violating member or the member’s family. Similarly, disobeying the orders of a “Torch,” being disloyal to the gang, and leaving the gang were all considered “violations” of the rules of the Krazy Locos.

9. In addition to the “taxes,” the Krazy Locos organization made money through the sale of controlled substances, primarily oxycodone, Xanax, methadone, cocaine, crack, and marijuana. With respect to the prescription medications (oxycodone, Xanax, and methadone), a Krazy Locos member would “sponsor” a patient, that is, pay for the patient’s medical visit and prescription, in exchange for a portion of the prescription medication. The gang would then re-sell the prescription medication. Higher-ranking members of the Krazy Locos would use lower-ranking members of the gang to pick up controlled substances from suppliers and deliver them to customers.

COUNT 1

Conspiracy to Distribute Controlled Substances

From at least as early as in or around January 2009, through on or about August 6, 2009, in Palm Beach County, in the Southern District of Florida, and elsewhere, the

defendants,

**JONATHAN GONZALEZ,
a/k/a "Benny,"
SILVERIO MACEDONIO-GREGORIO,
a/k/a "Silverio Gregorio," a/k/a "Pelón," a/k/a "Weasel,"
YOLIBETH NAJERA, a/k/a "Yoli," a/k/a "Yogi Bear,"
IVAN ISIDRO SANTIAGO,
a/k/a "Snow," a/k/a "Snowy," and
CHRISTOPHER GONZALEZ-CHAMBERLAIN,
a/k/a "Christopher Gonzalez," a/k/a "Pooh Bear,"**

knowingly and willfully conspired with each other and with persons known and unknown to the Grand Jury to commit offenses against the United States, that is, the possession with intent to distribute and the distribution of controlled substances, in violation of Title 21, United States Code, Section 841(a)(1); all in violation of Title 21, United States Code, Section 846.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that one of the controlled substances was a mixture and substance containing a detectable amount of cocaine base, commonly referred to as "crack."

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that one of the controlled substances was a mixture and substance containing a detectable amount of cocaine.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that one of the controlled substances was a mixture and substance containing a detectable amount of oxycodone.

COUNT 2
Maintaining a Place for Distributing Controlled Substances

From at least as early as in or around January 2009, through on or about June 5, 2009, in Palm Beach County, in the Southern District of Florida, the defendants,

JONATHAN GONZALEZ,
a/k/a "Benny,"
and
YOLIBETH NAJERA, a/k/a "Yoli," a/k/a "Yogi Bear,"

knowingly and intentionally used and maintained a place at 3932 Nowata Road, Lake Worth, Florida, in the Southern District of Florida, for the purpose of distributing a controlled substance; in violation of Title 21, United States Code, Section 856(a)(1).

It is further alleged that one of the controlled substances was a mixture and substance containing a detectable amount of cocaine base, commonly referred to as "crack."

It is further alleged that one of the controlled substances was a mixture and substance containing a detectable amount of cocaine.

It is further alleged that one of the controlled substances was a mixture and substance containing a detectable amount of oxycodone.

COUNT 3
Violent Crime in Aid of Racketeering Activity:
Conspiracy to Murder R.F.

The Enterprise and Its Racketeering Activities

1. At various times relevant to this Superseding Indictment, the defendants, **JONATHAN GONZALEZ, a/k/a "Benny," SILVERIO MACEDONIO-GREGORIO, a/k/a "Silverio Gregorio," a/k/a "Pelón," a/k/a "Weasel," YOLIBETH NAJERA, a/k/a**

“Yoli,” a/k/a “Yogi Bear,” IVAN ISIDRO SANTIAGO, a/k/a “Snow,” a/k/a “Snowy,” and CHRISTOPHER GONZALEZ-CHAMBERLAIN, a/k/a “Christopher Gonzalez,” a/k/a “Pooh Bear,” and others known and unknown, were members and associates of the Krazy Locos, a criminal organization whose members and associates engaged in acts of violence, including attempted murder, obstruction of justice, extortion and distribution of controlled substances, and which operated principally in Palm Beach County, Florida, in the Southern District of Florida.

2. This criminal organization, including its leadership, membership, and associates, constituted an enterprise as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact that engaged in, and the activities of which affected, interstate and foreign commerce. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

3. The purposes of the enterprise included the following:

a. Enriching the members and associates of the enterprise through, among other things, robbery, extortion, and distribution of controlled substances.

b. Preserving and protecting the power, territory, and profits of the enterprise through the use of murder, attempted murder, obstruction of justice, intimidation, violence, threats of violence, and assaults.

c. Promoting and enhancing the enterprise and its members' and associates' activities.

d. Keeping victims and witnesses in fear of the enterprise and in fear of its members and associates through threats of violence and violence.

4. The above-described enterprise, through its members and associates, engaged in racketeering activity as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), namely, acts and threats involving murder in violation of Florida Statutes Sections 782.04 and 782.051; acts and threats involving robbery in violation of Florida Statutes Sections 812.13 and 812.135; acts and threats involving extortion in violation of Florida Statutes Section 836.05; acts and threats involving dealing in controlled substances in violation of Florida Statutes Section 893.13; obstruction of justice in violation of Title 18, United States Code, Sections 1512 and 1513; Hobbs Act robbery in violation of Title 18, United States Code, Section 1951; and distribution of controlled substances in violation of Title 21, United States Code, Sections 841 and 846.

5. From in or around the beginning of January 2009, through on or about January 9, 2009, in Palm Beach County, in the Southern District of Florida, for the purpose of maintaining and increasing his position in the Krazy Locos gang, an enterprise engaged in racketeering activity, the defendant,

JONATHAN GONZALEZ, a/k/a "Benny,"

and other persons known and unknown to the Grand Jury, did knowingly and willfully combine, conspire, confederate, and agree to murder R.F. in violation of Florida Statutes Sections 782.04(1)(a)(1) and 782.04(2); all in violation of Title 18, United States Code, Section 1959(a)(5).

COUNT 4
Violent Crime in Aid of Racketeering Activity:
The Murder of R.F.

1. Paragraphs 1 through 4 of Count 3 of this Superseding Indictment are hereby incorporated by reference as if set forth in their entirety.

2. On or about January 9, 2009, in Palm Beach County, in the Southern District of Florida, for the purpose of maintaining and increasing his position in the Krazy Locos gang, an enterprise engaged in racketeering activity, the defendant,

JONATHAN GONZALEZ, a/k/a "Benny,"

with other persons known and unknown to the Grand Jury, committed the murder of R.F. in violation of Florida Statutes Sections 782.04(1)(a)(1) and 782.04(2); all in violation of Title 18, United States Code, Sections 1959(a)(1) and 2.

COUNT 5
Use/Possession of a Firearm in Connection with a Crime of Violence

On or about January 9, 2009, in Palm Beach County, in the Southern District of Florida, the defendant,

JONATHAN GONZALEZ, a/k/a "Benny,"

with other persons known and unknown to the Grand Jury, did knowingly and willfully use, carry, brandish, and discharge a firearm during and in relation to a crime of violence, and did possess, brandish, and discharge said firearm in furtherance of a crime of violence for which he may be prosecuted in a court of the United States, that is, violations of Title 18, United States Code, Sections 1959(a)(5) and 1959(a)(1), as set forth in Counts 3 and 4 of this

Superseding Indictment; in violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT 6

Causing the Death of Another Through the Use of a Firearm

On or about January 9, 2009, in Palm Beach County, in the Southern District of Florida, the defendant,

JONATHAN GONZALEZ, a/k/a “Benny,”

with other persons known and unknown to the Grand Jury, in the course of a violation of Title 18, United States Code, Section 924(c), as set forth in Count 5 of this Superseding Indictment, did cause the death of a person, that is, R.F., through the use of a firearm, which killing was a murder as defined in Title 18, United States Code, Section 1111; in violation of Title 18, United States Code, Sections 924(j)(1) and 2.

COUNT 7

Misprision of a Felony

From in or around January 2009, through on or about August 27, 2009, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendant,

**SILVERIO MACEDONIO-GREGORIO,
a/k/a “Silverio Gregorio,” a/k/a “Pelón,” a/k/a “Weasel,”**

having knowledge of the actual commission of a felony cognizable by a court of the United States, that is, the conspiracy to commit the murder of R.F. in aid of racketeering activity, the commission of murder of R.F. in aid of racketeering, and the use, carrying, brandishing, and discharging of a firearm during and in relation to, and the possession, brandishing, and

discharging of a firearm in furtherance of, a crime of violence resulting in the killing of R.F., in violation of Title 18, United States Code, Sections 1959(a)(5), 1959(a)(1), 924(c)(1), and 924(j)(1), by members of the Krazy Locos criminal street gang, did conceal the same and did not as soon as possible make known the same to some judge or other person in civil or military authority under the United States; in violation of Title 18, United States Code, Section 4.

COUNT 8
Conspiracy to Commit Hobbs Act Robbery

From on or about February 21, 2009, through on or about February 22, 2009, in Palm Beach County, in the Southern District of Florida, the defendants,

**JONATHAN GONZALEZ, a/k/a “Benny,” and
CHRISTOPHER GONZALEZ-CHAMBERLAIN,
a/k/a “Christopher Gonzalez,” a/k/a “Pooh Bear,”**

did knowingly and willfully combine, conspire, confederate, and agree with each other and other persons known and unknown to the Grand Jury to obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, by means of robbery, as the terms “commerce” and “robbery” are defined in Title 18, United States Code, Sections 1951(b)(1) and 1951(b)(3), in that the defendants did plan to take money and narcotics from A.R. and D.R., whom they believed were members of the 18th Street Gang and whom they believed were engaged in narcotics trafficking, by means of actual or threatened force, violence, and fear of injury to said persons, whether immediately or in the future; in violation of Title 18, United States Code, Section 1951(a).

COUNT 9
Hobbs Act Robbery

On or about February 22, 2009, in Palm Beach County, in the Southern District of Florida, the defendants,

**JONATHAN GONZALEZ, a/k/a “Benny,” and
CHRISTOPHER GONZALEZ-CHAMBERLAIN,
a/k/a “Christopher Gonzalez,” a/k/a “Pooh Bear,”**

along with other persons known to the Grand Jury, did knowingly attempt to obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, by means of robbery, as the terms “commerce” and “robbery” are defined in Title 18, United States Code, Sections 1951(b)(1) and 1951(b)(3), in that the defendants did plan to take money and narcotics from A.R. and D.R., whom they believed were members of the 18th Street Gang and whom they believed were engaged in narcotics trafficking, by means of actual or threatened force, violence, and fear of injury to said persons, whether immediately or in the future; in violation of Title 18, United States Code, Sections 1951(a) and 2.

COUNT 10
**Violent Crime in Aid of Racketeering:
The Murder of D.R.**

1. Paragraphs 1 through 4 of Count 3 of this Superseding Indictment are hereby incorporated by reference as if set forth in their entirety.

2. On or about February 22, 2009, in Palm Beach County, in the Southern District of Florida, for the purpose of maintaining and increasing their positions in the Krazy Locos gang, an enterprise engaged in racketeering activity, the defendants,

**JONATHAN GONZALEZ, a/k/a "Benny," and
CHRISTOPHER GONZALEZ-CHAMBERLAIN,
a/k/a "Christopher Gonzalez," a/k/a "Pooh Bear,"**

along with other persons known to the Grand Jury, committed the murder of D.R. in violation of Florida Statutes Sections 782.04(1)(a)(2)(d) and (m), 782.04(2), and 782.04(3)(d) and (m); all in violation of Title 18, United States Code, Sections 1959(a)(1) and 2.

COUNT 11

**Violent Crime in Aid of Racketeering:
Assault with a Dangerous Weapon Resulting in Serious Bodily Injury of A.R.**

1. Paragraphs 1 through 4 of Count 3 of this Superseding Indictment are hereby incorporated by reference as if set forth in their entirety.

2. On or about February 22, 2009, in Palm Beach County, in the Southern District of Florida, for the purpose of maintaining and increasing their positions in the Krazy Locos gang, an enterprise engaged in racketeering activity, the defendants,

**JONATHAN GONZALEZ, a/k/a "Benny," and
CHRISTOPHER GONZALEZ-CHAMBERLAIN,
a/k/a "Christopher Gonzalez," a/k/a "Pooh Bear,"**

along with other persons known to the Grand Jury, committed the assault with a dangerous weapon and assault resulting in serious bodily injury of A.R. in violation of Florida Statutes Sections 782.051(1), 784.021, 784.041(1), and 784.045(1); all in violation of Title 18, United States Code, Sections 1959(a)(3) and 2.

COUNT 12

Use/Possession of a Firearm in Connection with a Crime of Violence

On or about February 22, 2009, in Palm Beach County, in the Southern District of Florida, the defendants,

**JONATHAN GONZALEZ, a/k/a “Benny,” and
CHRISTOPHER GONZALEZ-CHAMBERLAIN,
a/k/a “Christopher Gonzalez,” a/k/a “Pooh Bear,”**

along with other persons known to the Grand Jury, did knowingly and willfully use, carry, brandish, and discharge a firearm during and in relation to a crime of violence, and did possess, brandish, and discharge said firearm in furtherance of a crime of violence for which they may be prosecuted in a court of the United States, that is, violations of Title 18, United States Code, Sections 1951(a), 1959(a)(1), and 1959(a)(3) as set forth in Counts 8, 9, 10, and 11 of this Superseding Indictment; in violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT 13

Causing the Death of Another through the Use of a Firearm

On or about February 22, 2009, in Palm Beach County, in the Southern District of Florida, the defendants,

**JONATHAN GONZALEZ, a/k/a “Benny,” and
CHRISTOPHER GONZALEZ-CHAMBERLAIN,
a/k/a “Christopher Gonzalez,” a/k/a “Pooh Bear,”**

along with other persons known to the Grand Jury, in the course of a violation of Title 18, United States Code, Section 924(c), as set forth in Count 12 of this Superseding Indictment, did cause the death of a person, that is, D.R., through the use of a firearm, which killing was

a murder as defined in Title 18, United States Code, Section 1111; in violation of Title 18, United States Code, Sections 924(j)(1) and 2.

COUNT 14
Misprision of a Felony

From in or around February 2009, through on or about August 27, 2009, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendant,

SILVERIO MACEDONIO-GREGORIO,
a/k/a “Silverio Gregorio,” a/k/a “Pelón,” a/k/a “Weasel,”

having knowledge of the actual commission of a felony cognizable by a court of the United States, that is, the conspiracy to commit Hobbs Act robbery, the attempted commission of Hobbs Act robbery, the commission of murder of D.R. in aid of racketeering activity, the commission of assault with a deadly weapon resulting in serious bodily injury of A.R. in aid of racketeering, and the use, carrying, brandishing, and discharging of a firearm during and in relation to, and the possession, brandishing, and discharging of a firearm in furtherance of, a crime of violence resulting in the killing of D.R. and the serious bodily injury of A.R., in violation of Title 18, United States Code, Sections 1951(a), 1959(a)(1), 1959(a)(3), 924(c)(1), and 924(j)(1), by members of the Krazy Locos criminal street gang, did conceal the same and did not as soon as possible make known the same to some judge or other person in civil or military authority under the United States; in violation of Title 18, United States Code, Section 4.

COUNT 15
Misprision of a Felony

From in or around February 2009, through on or about August 27, 2009, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendant,

YOLIBETH NAJERA,
a/k/a “Yoli,” a/k/a “Yogi Bear,”

having knowledge of the actual commission of a felony cognizable by a court of the United States, that is, the conspiracy to commit Hobbs Act robbery, the attempted commission of Hobbs Act robbery, the commission of murder of D.R. in aid of racketeering activity, the commission of assault with a deadly weapon resulting in serious bodily injury of A.R. in aid of racketeering, and the use, carrying, brandishing, and discharging of a firearm during and in relation to, and the possession, brandishing, and discharging of a firearm in furtherance of, a crime of violence resulting in the killing of D.R. and the serious bodily injury of A.R., in violation of Title 18, United States Code, Sections 1951(a), 1959(a)(1), 1959(a)(3), 924(c)(1), and 924(j)(1), by members of the Krazy Locos criminal street gang, did conceal the same and did not as soon as possible make known the same to some judge or other person in civil or military authority under the United States; in violation of Title 18, United States Code, Section 4.

COUNT 16
Conspiracy to Transfer Firearms for Use in Violent Crimes and Drug Trafficking

From at least as early as on or about March 27, 2009, through on or about August 6, 2009, in Palm Beach County, in the Southern District of Florida, and elsewhere, the

defendants,

JONATHAN GONZALEZ,
a/k/a “Benny,”
SILVERIO MACEDONIO-GREGORIO,
a/k/a “Silverio Gregorio,” a/k/a “Pelón,” a/k/a “Weasel,”
YOLIBETH NAJERA, a/k/a “Yoli,” a/k/a “Yogi Bear,”
IVAN ISIDRO SANTIAGO, a/k/a “Snow,” a/k/a “Snowy,”
and
CHRISTOPHER GONZALEZ-CHAMBERLAIN,
a/k/a “Christopher Gonzalez,” a/k/a “Pooh Bear,”

knowingly and willfully conspired with each other and with persons known and unknown to the Grand Jury to commit offenses against the United States, that is, to transfer a firearm, knowing that such firearm would be used to commit a crime of violence (as defined in 18 U.S.C. § 924(c)(3)) or a drug trafficking crime (as defined in 18 U.S.C. § 924(c)(2)), in violation of Title 18, United States Code, Section 924(h).

Manner and Means

The manner and means by which the Defendants and other participants sought to accomplish the purpose and object of the conspiracy included obtaining firearms from persons not licensed to sell firearms and selling those firearms to a person known to the Grand Jury, who the Defendants believed intended to transport the firearms to Mexico for use in armed conflict between narcotics traffickers and the police and military forces of the Mexican government.

Overt Acts

In furtherance of this conspiracy and to effect the object thereof, there was committed by at least one of the co-conspirators herein, at least one of the following overt acts, among

others, in the Southern District of Florida, and elsewhere:

(a) On or about April 22, 2009, in Palm Beach County, in the Southern District of Florida, Defendant SILVERIO MACEDONIO-GREGORIO, a/k/a "Silverio Gregorio," a/k/a "Pelón," a/k/a "Weasel," agreed to sell an AK-47 assault rifle and an M-16 assault rifle for \$2,100.

(b) On or about April 22, 2009, in Palm Beach County, in the Southern District of Florida, Defendant JONATHAN GONZALEZ, a/k/a "Benny," sold a loaded Maadi MISR-10 rifle (AK-47 variant) and a loaded S.W.D. M-11 9mm pistol for \$1,950.

(c) On or about May 1, 2009, in Palm Beach County, in the Southern District of Florida, Defendants JONATHAN GONZALEZ, a/k/a "Benny," and SILVERIO MACEDONIO-GREGORIO, a/k/a "Silverio Gregorio," a/k/a "Pelón," a/k/a "Weasel," presented a black rifle for sale for \$1,800.

(d) On or about May 7, 2009, in Palm Beach County, in the Southern District of Florida, Defendant JONATHAN GONZALEZ, a/k/a "Benny," sold a loaded Norinco SKS rifle, a loaded H&K USP Compact 9mm pistol, and a loaded Caspian 1911 0.45-caliber pistol with a Colt Government Model slide for \$2,150.

(e) On or about May 8, 2009, in Palm Beach County, in the Southern District of Florida, Defendant JONATHAN GONZALEZ, a/k/a "Benny," sold a loaded Lorcin L380 0.380-caliber pistol for \$400.

(f) On or about May 8, 2009, in Palm Beach County, in the Southern District of Florida, Defendant JONATHAN GONZALEZ, a/k/a "Benny," offered to sell a

Ruger P90 pistol, a 0.38-caliber revolver, and a Mini-AK 47.

(g) On or about May 19, 2009, in Palm Beach County, in the Southern District of Florida, Defendant JONATHAN GONZALEZ, a/k/a "Benny," sold a bulletproof vest, a Ruger P90 0.45-caliber pistol, a Ruger Blackhawk 0.357-caliber revolver, and an MK-II pineapple-style grenade for \$2,475.

(h) On or about May 27, 2009, in Palm Beach County, in the Southern District of Florida, Defendant JONATHAN GONZALEZ, a/k/a "Benny," sold an AK-47 with three magazines for \$1,200.

(i) On or about May 29, 2009, in Palm Beach County, in the Southern District of Florida, Defendant JONATHAN GONZALEZ, a/k/a "Benny," sold a Hi-Point JH-45 0.45-caliber pistol for \$400.

(j) On or about June 5, 2009, in Palm Beach County, in the Southern District of Florida, Defendant JONATHAN GONZALEZ, a/k/a "Benny," placed a telephone call to Defendant YOLIBETH NAJERA, a/k/a "Yoli," a/k/a "Yogi Bear," to warn her that the police may be going to their residence and instructing her to remove as many firearms as she could from the residence.

(k) On or about June 5, 2009, in Palm Beach County, in the Southern District of Florida, Defendant YOLIBETH NAJERA, a/k/a "Yoli," a/k/a "Yogi Bear," removed three rifles from the residence located at 3932 Nowata Road, Lake Worth, Florida.

(l) On or about June 6, 2009, in Palm Beach County, in the Southern District of Florida, Defendant JONATHAN GONZALEZ, a/k/a "Benny," instructed

Defendant YOLIBETH NAJERA, a/k/a “Yoli,” a/k/a “Yogi Bear,” to sell the three rifles that she removed from the residence located at 3932 Nowata Road, Lake Worth, Florida at prices set by Defendant JONATHAN GONZALEZ.

(m) On or about June 6, 2009, in Palm Beach County, in the Southern District of Florida, Defendants JONATHAN GONZALEZ, a/k/a “Benny,” YOLIBETH NAJERA, a/k/a “Yoli,” a/k/a “Yogi Bear,” and CHRISTOPHER GONZALEZ-CHAMBERLAIN, a/k/a “Chris,” a/k/a “Pooh Bear,” discussed a plan for Defendants JONATHAN GONZALEZ and YOLIBETH NAJERA to flee the United States.

(n) On or about June 6, 2009, in Palm Beach County, in the Southern District of Florida, Defendant YOLIBETH NAJERA, a/k/a “Yoli,” a/k/a “Yogi Bear,” offered to sell the three rifles to a person known to the Grand Jury.

(o) On or about June 7, 2009, in Palm Beach County, in the Southern District of Florida, Defendants JONATHAN GONZALEZ, a/k/a “Benny,” YOLIBETH NAJERA, a/k/a “Yoli,” a/k/a “Yogi Bear,” and IVAN ISIDRO SANTIAGO, a/k/a “Snow,” a/k/a “Snowy,” discussed a plan for Defendants JONATHAN GONZALEZ and YOLIBETH NAJERA to flee the United States.

(p) On or about June 7, 2009, in Palm Beach County, in the Southern District of Florida, Defendants YOLIBETH NAJERA, a/k/a “Yoli,” a/k/a “Yogi Bear,” and IVAN ISIDRO SANTIAGO, a/k/a “Snow,” a/k/a “Snowy,” negotiated the sale of three rifles.

(q) On or about June 7, 2009, in Palm Beach County, in the Southern District of Florida, Defendant IVAN ISIDRO SANTIAGO, a/k/a “Snow,” a/k/a “Snowy,”

stated that the proceeds from the sale of the three rifles would be used to post bond for Defendant JONATHAN GONZALEZ, a/k/a "Benny," to allow him to flee the United States.

(r) On or about June 8, 2009, in Palm Beach County, in the Southern District of Florida, Defendant IVAN ISIDRO SANTIAGO, a/k/a "Snow," a/k/a "Snowy," disinterred three rifles that he buried near the window of his apartment.

(s) On or about June 8, 2009, in Palm Beach County, in the Southern District of Florida, Defendants YOLIBETH NAJERA, a/k/a "Yoli," a/k/a "Yogi Bear," and IVAN ISIDRO SANTIAGO, a/k/a "Snow," a/k/a "Snowy," sold three rifles for \$2,400.

(t) On or about June 8, 2009, in Palm Beach County, in the Southern District of Florida, Defendant IVAN ISIDRO SANTIAGO, a/k/a "Snow," a/k/a "Snowy," offered to kill persons in exchange for money and to obtain more firearms to sell to a person known to the Grand Jury.

(u) On or about June 10, 2009, in Palm Beach County, in the Southern District of Florida, Defendant IVAN ISIDRO SANTIAGO, a/k/a "Snow," a/k/a "Snowy," promised to inform a person known to the Grand Jury when SANTIAGO had additional firearms to sell.

All in violation of Title 18, United States Code, Section 371.

COUNT 17
Unlicensed Firearms Dealing

From at least as early as on or about March 27, 2009, through on or about August 6, 2009, in Palm Beach County, in the Southern District of Florida, and elsewhere, the

defendants,

**JONATHAN GONZALEZ,
a/k/a “Benny,”
YOLIBETH NAJERA, a/k/a “Yoli,” a/k/a “Yogi Bear,”
and
IVAN ISIDRO SANTIAGO, a/k/a “Snow,” a/k/a “Snowy,”**

knowingly and willfully engaged in the business of dealing in firearms without being licensed to do so; in violation of Title 18, United States Code, Sections 922(a)(1)(A) and 2.

**COUNT 18
Distribution of Controlled Substance**

On or about March 27, 2009, in Palm Beach County, in the Southern District of Florida, the defendant,

**JONATHAN GONZALEZ,
a/k/a “Benny,”**

knowingly and intentionally distributed a controlled substance; in violation of Title 21, United States Code, Section 841(a)(1).

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that the controlled substance was a mixture and substance containing a detectable amount of cocaine.

**COUNT 19
Distribution of Controlled Substance**

On or about April 14, 2009, in Palm Beach County, in the Southern District of Florida, the defendant,

**JONATHAN GONZALEZ,
a/k/a “Benny,”**

knowingly and intentionally distributed a controlled substance; in violation of Title 21, United States Code, Section 841(a)(1).

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that the controlled substance was a mixture and substance containing a detectable amount of oxycodone.

COUNT 20

Carrying/Possession Firearm in Connection with Drug Trafficking Crime

On or about April 14, 2009, in Palm Beach County, in the Southern District of Florida, the defendant,

**JONATHAN GONZALEZ,
a/k/a "Benny,"**

did knowingly carry a firearm, that is a small-caliber, nickel-plated, semi-automatic handgun, during and in relation to a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, that is, distribution of a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), as set forth in Count 19 of this Superseding Indictment, and did possess said firearm in furtherance of such crime; all in violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT 21

Felon in Possession of Firearms and Ammunition

On or about April 22, 2009, in Palm Beach County, in the Southern District of Florida, the defendants,

JONATHAN GONZALEZ,
a/k/a "Benny,"
and
SILVERIO MACEDONIO-GREGORIO,
a/k/a "Silverio Gregorio," a/k/a "Pelón," a/k/a "Weasel,"

where Defendant JONATHAN GONZALEZ had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate and foreign commerce, firearms and ammunition, that is,

(a) a Maadi MISR-10 rifle (AK-47 variant) bearing Serial Number CA00434, and loaded with approximately three rounds of Wolfe 7.62 x 39mm ammunition, and

(b) a S.W.D. M-11 9mm pistol bearing Serial Number 89-0030709, and loaded with 30 rounds of Remington-Peters 9mm ammunition, and did aid and abet the commission of that offense; in violation of Title 18, United States Code, Sections 922(g)(1) and 2.

COUNT 22
Distribution of Controlled Substance

On or about April 22, 2009, in Palm Beach County, in the Southern District of Florida, the defendant,

JONATHAN GONZALEZ,
a/k/a "Benny,"

knowingly and intentionally distributed a controlled substance; in violation of Title 21, United States Code, Section 841(a)(1).

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged

that the controlled substance was a mixture and substance containing a detectable amount of cocaine.

COUNT 23
Distribution of Controlled Substance

On or about May 1, 2009, in Palm Beach County, in the Southern District of Florida,
the defendants,

JONATHAN GONZALEZ,
a/k/a "Benny,"
and
SILVERIO MACEDONIO-GREGORIO,
a/k/a "Silverio Gregorio," a/k/a "Pelón," a/k/a "Weasel,"

knowingly and intentionally distributed a controlled substance; in violation of Title 21,
United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged
that the controlled substance was a mixture and substance containing a detectable amount of
cocaine base, commonly referred to as "crack."

COUNT 24
Carrying/Possession of Firearm in Connection with Drug Trafficking Crime

On or about May 1, 2009, in Palm Beach County, in the Southern District of Florida,
the defendants,

JONATHAN GONZALEZ,
a/k/a "Benny,"
and
SILVERIO MACEDONIO-GREGORIO,
a/k/a "Silverio Gregorio," a/k/a "Pelón," a/k/a "Weasel,"

did knowingly carry a firearm, that is two handguns, during and in relation to a drug

trafficking crime for which the defendant may be prosecuted in a court of the United States, that is, distribution of a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), as set forth in Count 23 of this Superseding Indictment, and did possess said firearm in furtherance of such crime; all in violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT 25
Felon in Possession of Firearms

On or about May 1, 2009, in Palm Beach County, in the Southern District of Florida,
the defendants,

JONATHAN GONZALEZ,
a/k/a “Benny,”
and
SILVERIO MACEDONIO-GREGORIO,
a/k/a “Silverio Gregorio,” a/k/a “Pelón,” a/k/a “Weasel,”

where Defendant JONATHAN GONZALEZ had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate and foreign commerce, firearms, that is, two handguns and a dark-colored rifle, and did aid and abet the commission of that offense; in violation of Title 18, United States Code, Sections 922(g)(1) and 2.

COUNT 26
Illegal Alien in Possession of Firearms

On or about May 1, 2009, in Palm Beach County, in the Southern District of Florida,
the defendants,

**SILVERIO MACEDONIO-GREGORIO,
a/k/a “Silverio Gregorio,” a/k/a “Pelón,” a/k/a “Weasel,”
and
JONATHAN GONZALEZ,
a/k/a “Benny,”**

where Defendant SILVERIO MACEDONIO-GREGORIO was an alien who was illegally and unlawfully in the United States, did knowingly possess in and affecting interstate and foreign commerce, firearms, that is, two handguns and a dark-colored rifle, and did aid and abet the commission of that offense; in violation of Title 18, United States Code, Sections 922(g)(5) and 2.

**COUNT 27
Felon in Possession of Firearms and Ammunition**

On or about May 7, 2009, in Palm Beach County, in the Southern District of Florida,
the defendants,

**JONATHAN GONZALEZ,
a/k/a “Benny,”
and
YOLIBETH NAJERA,
a/k/a “Yoli,” a/k/a “Yogi Bear,”**

where Defendant JONATHAN GONZALEZ had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting interstate and foreign commerce, firearms and ammunition, that is,

- (a) a Norinco SKS rifle bearing Serial Number 1512108, and loaded with approximately 23 rounds of 7.62 x 39mm ammunition,
- (b) an H&K USP Compact 9mm pistol bearing serial number 27-016707,

and loaded with approximately 13 rounds of 9mm ammunition,

(c) a Caspian 1911 0.45-caliber pistol with a Colt Government Model slide bearing serial number 13280, and loaded with approximately 4 rounds of 0.45-caliber ammunition, and

(d) a Lorcin L380 0.380 caliber pistol bearing serial number 230017, and did aid and abet the commission of that offense; in violation of Title 18, United States Code, Sections 922(g)(1) and 2.

COUNT 28
Distribution of Controlled Substance

On or about May 7, 2009, in Palm Beach County, in the Southern District of Florida, the defendants,

JONATHAN GONZALEZ,
a/k/a “Benny,”
and
YOLIBETH NAJERA,
a/k/a “Yoli,” a/k/a “Yogi Bear,”

knowingly and intentionally distributed a controlled substance; in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that the controlled substance was a mixture and substance containing a detectable amount of cocaine.

COUNT 29
Felon in Possession of Firearms and Ammunition

On or about May 8, 2009, in Palm Beach County, in the Southern District of Florida,
the defendant,

JONATHAN GONZALEZ,
a/k/a "Benny,"

having previously been convicted of a crime punishable by imprisonment for a term
exceeding one year, did knowingly possess, in and affecting interstate and foreign commerce,
firearms and ammunition, that is,

- (a) a Lorcin L380 0.380-caliber pistol bearing serial number 230017, and
loaded with eleven rounds of Triton 0.380 +P ammunition,
- (b) a Ruger P90 pistol, and
- (c) a revolver;

in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 30
Felon in Possession of Firearms

On or about May 19, 2009, in Palm Beach County, in the Southern District of Florida,
the defendant,

JONATHAN GONZALEZ,
a/k/a "Benny,"

having previously been convicted of a crime punishable by imprisonment for a term
exceeding one year, did knowingly possess, in and affecting interstate and foreign commerce,
firearms, that is,

(a) a Ruger P90 0.45-caliber pistol bearing Serial Number 663-73471,
(b) a Ruger Blackhawk 0.357-caliber revolver bearing Serial Number 35-20654, and
(c) a 0.40-caliber pistol;
in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 31
Distribution of Controlled Substance

On or about May 19, 2009, in Palm Beach County, in the Southern District of Florida,
the defendant,

JONATHAN GONZALEZ,
a/k/a "Benny,"

knowingly and intentionally distributed a controlled substance; in violation of Title 21,
United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged
that the controlled substance was a mixture and substance containing a detectable amount of
cocaine.

COUNT 32
Carrying/Possession of Firearm in Connection with Drug Trafficking Crime

On or about May 19, 2009, in Palm Beach County, in the Southern District of Florida,
the defendant,

JONATHAN GONZALEZ,
a/k/a "Benny,"

did knowingly carry a firearm, that is a 0.40-caliber pistol, during and in relation to a drug

trafficking crime for which the defendant may be prosecuted in a court of the United States, that is, distribution of a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), as set forth in Count 31 of this Superseding Indictment, and did possess said firearm in furtherance of such crime; all in violation of Title 18, United States Code, Section 924(c)(1).

COUNT 33

Possession of Body Armor by Person Convicted of Violent Crime

On or about May 19, 2009, in Palm Beach County, in the Southern District of Florida, the defendant,

**JONATHAN GONZALEZ,
a/k/a "Benny,"**

having previously been convicted of a crime of violence as defined in Title 18, United States Code, Section 931(a)(2), did knowingly possess body armor, that is, a Safariland Armorwear Matrix bullet resistant vest, that had been sold or offered for sale in interstate and foreign commerce; in violation of Title 18, United States Code, Section 931.

COUNT 34

Distribution of Controlled Substance

On or about May 26, 2009, in Palm Beach County, in the Southern District of Florida, the defendant,

**JONATHAN GONZALEZ,
a/k/a "Benny,"**

knowingly and intentionally distributed a controlled substance; in violation of Title 21, United States Code, Section 841(a)(1).

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that the controlled substance was a mixture and substance containing a detectable amount of oxycodone.

COUNT 35
Felon in Possession of Firearm

On or about May 27, 2009, in Palm Beach County, in the Southern District of Florida,
the defendant,

JONATHAN GONZALEZ,
a/k/a "Benny,"

having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting interstate and foreign commerce, a firearm, that is, a Romarm WASR-10 7.62 x 39mm rifle (AK-47 variant) bearing Serial Number SAM-3605-82; in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 36
Distribution of Controlled Substance

On or about May 28, 2009, in Palm Beach County, in the Southern District of Florida,
the defendant,

JONATHAN GONZALEZ,
a/k/a "Benny,"

knowingly and intentionally distributed a controlled substance; in violation of Title 21, United States Code, Section 841(a)(1).

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that the controlled substance was a mixture and substance containing a detectable amount of

oxycodone.

COUNT 37
Felon in Possession of Firearm

On or about May 29, 2009, in Palm Beach County, in the Southern District of Florida,
the defendant,

JONATHAN GONZALEZ,
a/k/a "Benny,"

having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting interstate and foreign commerce, a firearm, that is, a Hi-Point JH-45 0.45-caliber pistol bearing Serial Number 301827; in violation of Title 18, United States Code, Section 922(g)(1).

COUNT 38
Distribution of Controlled Substance

On or about May 29, 2009, in Palm Beach County, in the Southern District of Florida,
the defendant,

JONATHAN GONZALEZ,
a/k/a "Benny,"

knowingly and intentionally distributed a controlled substance; in violation of Title 21, United States Code, Section 841(a)(1).

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that the controlled substance was a mixture and substance containing a detectable amount of cocaine.

COUNT 39
Felon in Possession of Firearms and Ammunition

On or about June 5, 2009, in Palm Beach County, in the Southern District of Florida,
the defendants,

JONATHAN GONZALEZ,
a/k/a "Benny,"
and
YOLIBETH NAJERA,
a/k/a "Yoli," a/k/a "Yogi Bear,"

where Defendant JONATHAN GONZALEZ had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting interstate and foreign commerce, firearms and ammunition, that is,

- (a) a Glock 27 0.40-caliber pistol bearing Serial Number BPP047US,
- (b) a Rossi M88 0.38-caliber revolver bearing Serial Number W060311,
- (c) an Intratec TEC-DC9 9mm pistol bearing Serial Number D020313,
- (d) an H&R M925 0.38-caliber revolver bearing Serial Number AH2112,
- (e) a Taurus PT 24/7 Pro 0.40-caliber pistol bearing Serial Number SAN 31481,
- (f) a Taurus PT 24/7 9mm pistol bearing Serial Number TXE 72235,
- (g) an F.E.G. PA-63 9mm pistol bearing Serial Number L035671,
- (h) a Raven MP-25 0.25-caliber pistol bearing Serial Number 1603491,
- (i) a Mossberg 500A 12-gauge shotgun bearing Serial Number P435235,
- (j) a Savage Arms 1895 0.308-caliber rifle bearing Serial Number 1958AS,
- (k) a Russian Military SKS 7.62x39mm rifle bearing Serial Number 1840,

- (l) a Ruger 10/22 0.22-caliber rifle bearing Serial Number 118-68990,
- (m) a Winchester M190 0.22-caliber rifle bearing Serial Number B1751936, and
- (n) approximately 929 rounds of ammunition of various calibers,

and did aid and abet the commission of that offense; in violation of Title 18, United States Code, Sections 922(g)(1) and 2.

COUNT 40

Possession with Intent to Distribute Controlled Substance

On or about June 5, 2009, in Palm Beach County, in the Southern District of Florida,
the defendants,

**JONATHAN GONZALEZ,
a/k/a “Benny,”
and
YOLIBETH NAJERA,
a/k/a “Yoli,” a/k/a “Yogi Bear,”**

knowingly and intentionally possessed with intent to distribute a controlled substance; in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged that the controlled substance was a mixture and substance containing a detectable amount of oxycodone.

COUNT 41

Obstruction of Justice

On or about June 5, 2009, in Palm Beach County, in the Southern District of Florida,
the defendants,

**JONATHAN GONZALEZ,
a/k/a "Benny,"
and
YOLIBETH NAJERA,
a/k/a "Yoli," a/k/a "Yogi Bear,"**

did corruptly conceal an object, that is,

- (a) a Russian Military SKS 7.62x39mm rifle bearing Serial Number 1840,
- (b) a Ruger 10/22 0.22-caliber rifle bearing Serial Number 118-68990,
- (c) a Winchester M190 0.22-caliber rifle bearing Serial Number B1751936,

and

- (d) approximately 62 rounds of 0.22-caliber ammunition,

with the intent to impair its availability for use in an official proceeding, that is, a grand jury proceeding and a trial; in violation of Title 18, United States Code, Sections 1512(c)(1) and 2.

**COUNT 42
Felon in Possession of Firearms and Ammunition**

On or about June 8, 2009, in Palm Beach County, in the Southern District of Florida,
the defendants,

**YOLIBETH NAJERA,
a/k/a "Yoli," a/k/a "Yogi Bear,"
and
IVAN ISIDRO SANTIAGO,
a/k/a "Snow," a/k/a "Snowy,"**

where Defendant IVAN ISIDRO SANTIAGO had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and

affecting interstate and foreign commerce, firearms and ammunition, that is,

- (a) a Russian Military SKS 7.62x39mm rifle bearing Serial Number 1840,
- (b) a Ruger 10/22 0.22-caliber rifle bearing Serial Number 118-68990,
- (c) a Winchester M190 0.22-caliber rifle bearing Serial Number B1751936, and
- (d) approximately 62 rounds of 0.22-caliber ammunition,

and did aid and abet the commission of that offense; in violation of Title 18, United States Code, Sections 922(g)(1) and 2.

COUNT 43
Conspiracy to Obstruct Justice

From on or about June 6, 2009, through on or about June 8, 2009, in Palm Beach County, in the Southern District of Florida, and elsewhere, the defendants,

JONATHAN GONZALEZ,
a/k/a "Benny,"
YOLIBETH NAJERA,
a/k/a "Yoli," a/k/a "Yogi Bear,"
IVAN ISIDRO SANTIAGO,
a/k/a "Snow," a/k/a "Snowy,"
and
CHRISTOPHER GONZALEZ-CHAMBERLAIN,
a/k/a "Christopher Gonzalez," a/k/a "Pooh Bear,"

knowingly and intentionally conspired with each other and with persons known and unknown to the Grand Jury to commit an offense against the United States, that is, to corruptly obstruct and impede an official proceeding, that is, a grand jury proceeding and a trial, in violation of Title 18, United States Code, Section 1512(c)(2); all in violation of Title 18, United States Code, Section 1512(k).

COUNT 44
Distribution of Controlled Substance

On or about July 7, 2009, in Palm Beach County, in the Southern District of Florida,
the defendant,

SILVERIO MACEDONIO-GREGORIO,
a/k/a “Silverio Gregorio,” a/k/a “Pelón,” a/k/a “Weasel,”

knowingly and intentionally distributed a controlled substance; in violation of Title 21,
United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

Pursuant to Title 21, United States Code, Section 841(b)(1)(C), it is further alleged
that the controlled substance was a mixture and substance containing a detectable amount of
oxycodone.

COUNT 45
Use of a Minor to Commit Controlled Substance Offense

On or about July 7, 2009, in Palm Beach County, in the Southern District of Florida,
the defendant,

SILVERIO MACEDONIO-GREGORIO,
a/k/a “Silverio Gregorio,” a/k/a “Pelón,” a/k/a “Weasel,”

who was a person over the age of eighteen, knowingly and intentionally employed, hired, and
used a person under eighteen years of age, that is, “A.T.,” to violate a provision of Title 21,
that is, the distribution of a controlled substance, as charged in Count 44; in violation of Title
21, United States Code, Section 861(a)(1).

COUNT 46
Felon in Possession of Firearm and Ammunition

On or about August 28, 2009, in Palm Beach County, in the Southern District of Florida, the defendant,

**IVAN ISIDRO SANTIAGO,
a/k/a "Snow," a/k/a "Snowy,"**

having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess, in and affecting interstate and foreign commerce, a firearm and ammunition, that is, a Raven Arms MP-25, 0.25-caliber pistol bearing Serial Number 1887736, and approximately twelve (12) rounds of 0.25-caliber ammunition; in violation of Title 18, United States Code, Section 922(g)(1).

ENHANCED PENALTY ALLEGATIONS: CRIMINAL STREET GANGS

1. Counts 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 18, 19, 22, 23, 28, 31, 34, 36, 38, and 40 of this Superseding Indictment are hereby incorporated by reference as if set forth in their entirety.

2. Between in and around 2004 and on or about the date of this Superseding Indictment, the Krazy Locos gang was a criminal street gang, as that term is defined in Title 18, United States Code, Section 521(a), that is, an ongoing group, club, organization, and association of five or more persons that (i) had as one of its primary purposes the commission of one or more of the criminal offenses described in Title 18, United States Code, Section 521(c); (ii) the members of which were engaging in, and had engaged within the past five years, in a continuing series of offenses described in Title 18, United States Code, Section

521(c); and (iii) the activities of which affect interstate and foreign commerce.

3. The offenses charged in Counts 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 18, 19, 22, 23, 28, 31, 34, 36, 38, and 40 of this Superseding Indictment, that is, violations of Title 21, United States Code, Sections 846, 856(a)(1), and 841(a)(1), and Title 18, United States Code, Sections 1959(a)(1), 924(c)(1), 924(j), 1951(a), and 1959(a)(3), are offenses described in Title 18, United States Code, Section 521(c).

4. At all times relevant to Counts 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 18, 19, 22, 23, 28, 31, 34, 36, 38, and 40 of this Superseding Indictment, Defendant **JONATHAN GONZALEZ, a/k/a “Benny,”** who committed the offenses charged in Counts 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 18, 19, 22, 23, 28, 31, 34, 36, 38, and 40 of this Superseding Indictment, was a person who:

(a) participated in the Krazy Locos gang with knowledge that its members were engaging in and had engaged in a continuing series of offenses described in Title 18, United States Code, Section 521(c), that is, among others, the offenses charged in Counts 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 18, 19, 22, 23, 28, 31, 34, 36, 38, and 40 of this Superseding Indictment;

(b) intended to promote and further the felonious activities of the Krazy Locos gang, and to maintain and increase his position therein; and

(c) at the time of the offenses charged in Counts 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 18, 19, 22, 23, 28, 31, 34, 36, 38, and 40 of this Superseding Indictment, had been convicted within the past five years of an offense specified in Title 18, United States Code,

Section 521(d)(3), that is, on or about September 13, 2006, Defendant **JONATHAN GONZALEZ, a/k/a "Benny,"** was convicted in Palm Beach County, Florida, for Aggravated Battery with a Firearm in the First Degree, in violation of Florida Statutes Section 784.045, which is a felony crime of violence that has as an element the use or attempted use of physical force against the person of another, and which is a state felony offense that by its nature involves a substantial risk that physical force against the person of another may be used in the course of committing the offense.

5. Accordingly, Defendant **JONATHAN GONZALEZ, a/k/a "Benny,"** is subject to the penalty provisions of Title 18, United States Code, Section 521.

FORFEITURE

1. The allegations of Counts 1 through 46 of this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeitures to the United States of America of certain property in which one or more of the defendants have an interest, pursuant to the provisions of Title 21, United States Code, Section 853.

2. Upon conviction of any of the violations alleged in Counts 1, 2, 18, 19, 22, 23, 28, 31, 34, 36, 38, 40, 44, or 45, the defendants shall forfeit to the United States any property constituting or derived from any proceeds which the defendants obtained, directly or indirectly, as the result of such violations, and any property which the defendants used or intended to be used in any manner or part to commit or to facilitate the commission of such violation(s) including but not limited to the following: the sum of \$ 3011.00 in U.S. currency.

3. The allegations of Counts 1 through 46 of this Superseding Indictment are

re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeitures to the United States of America of property in which the defendants have an interest, pursuant to the provisions of Title 18, United States Code, Section 924(d)(1), as incorporated by Title 28, United States Code, Section 2461(c) and the procedures outlined at Title 21, United States Code, Section 853.

Upon the conviction of any violation of Title 18, United States Code, Section 922, defendants JONATHAN GONZALEZ and YOLIBETH NAJERA shall forfeit to the United States any firearms involved in or used in the commission of said violation.

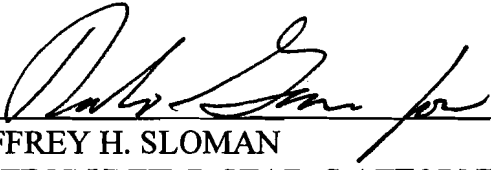
The property subject to forfeiture includes but is not limited to:

- (a) a Glock 27 0.40-caliber pistol bearing Serial Number BPP047US,
- (b) a Rossi M88 0.38-caliber revolver bearing Serial Number W060311,
- (c) an Intratec TEC-DC9 9mm pistol bearing Serial Number D020313,
- (d) an H&R M925 0.38-caliber revolver bearing Serial Number AH2112,
- (e) a Taurus PT 24/7 Pro 0.40-caliber pistol bearing Serial Number SAN31481,
- (f) an F.E.G. PA-63 9mm pistol bearing Serial Number L035671,
- (g) a Raven MP-25 0.25-caliber pistol bearing Serial Number 1603491,
- (h) a Mossberg 500A 12-gauge shotgun bearing Serial Number P435235, and
- (i) a Savage Arms 1895 0.308-caliber rifle bearing Serial Number 1958AS.

All pursuant to Title 18, United States Code, Section 924(d)(1), as incorporated by Title 28,
United States Code, Section 2461 and Title 21, United States Code, Section 853.

A TRUE BILL

FOREPERSON



JEFFREY H. SLOMAN
ACTING UNITED STATES ATTORNEY



A. MARIE VILLAFANA
ASSISTANT UNITED STATES ATTORNEY



MARK DISPOTO
ASSISTANT UNITED STATES ATTORNEY